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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND BRANCH

VICTOR DANIEL SOLTERO,

Plaintiff,

v.

JOE MCGRATH, et al.,

Defendants.

Case No. C 07-4256 PJH

**STIPULATION FOR VOLUNTARY
DISMISSAL WITH PREJUDICE
(Fed. R. Civ. P. 41(a)(1)(A)(ii))**

Judge: The Honorable Phyllis J.
Hamilton

Trial Date: June 3, 2013

Action Filed: August 20, 2007

Plaintiff Victor Daniel Soltero and Defendant J Ruelas have resolved this case in its entirety. Therefore, the parties stipulate to a dismissal of this action with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

Each party shall bear its own litigation costs and attorney's fees.

It is so stipulated.

Dated: 12/19/12


Victor Soltero, CDCR No. K-36340
Plaintiff

1 Dated:

12/17/12

Colin T. Kemp
PILLSBURY WINTHROP SHAW PITTMAN
LLP – San Francisco
Attorney for Plaintiff Victor Soltero

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5 Dated:

12/19/12

Kyle A. Lewis
Deputy Attorney General
California Attorney General's Office
Attorney for Defendant J. Ruelas

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11 In accordance with the parties' stipulation, this action is dismissed with prejudice. The
12 Clerk of the Court shall close the file. **IT IS SO ORDERED.**

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14 Dated: 12/27/12

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CERTIFICATE OF SERVICE

Case Name: **V. D. Soltero v. J. McGrath, et al.** No. **C 07-4256 PJH**

I hereby certify that on December 21, 2012, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

Stipulation for Voluntary Dismissal with Prejudice (Fed. R. Civ. P. 41(a)(1)(A)(ii))

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

I further certify that some of the participants in the case are not registered CM/ECF users. On December 21, 2012, I have caused to be mailed in the Office of the Attorney General's internal mail system, the foregoing document(s) by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within three (3) calendar days to the following non-CM/ECF participants:

Thomas V. Loran, III
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Attorney for Victor Daniel Soltero
K-36340

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on December 21, 2012, at San Francisco, California.

E. Tongol
Declarant

/s/ E. Tongol
Signature